

ORDINANCE NO. 06-10-085

TO AMEND TITLE 17, CHAPTER 17.04 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES WHICH PROVIDES FOR ZONING; TO INSERT SECTION 17.04.160 ENTITLED "CONSERVATION RESIDENTIAL SUBDIVISION OVERLAY DISTRICT"; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

Section I. Title 17, Chapter 17.04 of the Code of Ordinances of the City of Locust Grove is hereby amended by inserting Section 17.04.160 entitled "Conservation Residential Subdivision Overlay" as follows:

Section 17.04.160 Conservation Residential Subdivision Overlay District (CRSO)

(a) Purpose. The purpose of the conservation residential subdivision overlay district (CRSO) is to promote the health, safety, and general welfare of the current and future inhabitants of the City of Locust Grove by allowing flexibility in the design of certain subdivision from standard regulations to support permanent protection of green space.

The specific purposes of the CRSO include:

- (1) To provide single-family residential subdivisions which permit flexibility of design in order to preserve environmentally-sensitive areas and create efficient uses of land.
- (2) To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplain, wetlands, streams, steep slopes, woodlands, wildlife habitats, historic features and unique topography.
- (3) To permit clustering of dwellings and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces, utilities, earthwork and other land disturbing activities necessary for residential development.
- (4) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential developments.
- (5) To conserve a portion of the otherwise developable property as green space in perpetuity. This option is not necessarily intended to allow an applicant to conserve only the portion of the tract that is already unbuildable due to factors such as steep slopes, wetlands, or land adjacent to undesirable areas such as landfills or livestock farming.
- (6) To promote interconnected greenways and corridors throughout the City of Locust Grove.
- (7) To promote linking of greenways and corridors between the City of Locust Grove and neighboring jurisdictions.
- (8) To encourage interactions of persons living in the resulting residential community by clustering dwellings and orienting them closer to the street,

- providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- (9) To encourage street designs that reduces traffic speeds and reliance on main arteries.
 - (10) To incorporate aesthetic design standards that will increase the value of the neighborhood.
 - (11) To conserve scenic views and reduce perceived density by promoting views of green space, from within the development and from arterial and collector roads.
 - (12) To preserve important historical and archaeological sites.
 - (13) To promote other purposes of the Zoning Ordinance, Subdivision Regulations, Soil Erosion and Sediment Control Ordinance and other ordinances and policies of the City of Locust Grove.

(b) Definitions. For the purposes of this Section, the following terms shall have the meaning prescribed, unless the context clearly indicates otherwise:

“Conservation Easement” means a nonpossessory interest of a holder in real property imposing limitations of affirmative obligations for the purposes of which include retaining or protecting natural, scenic, green, or open areas of real property, assuring its availability for agricultural, forest, recreational, or green space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

“Conservation Residential Subdivision (CRS)” means a single-family residential subdivision design which concentrates lots, dwellings, streets, utilities and related development activities on the more suitable and less environmentally-sensitive areas of the site, thereby preserving the steep slopes, wetlands, unsuitable soils, stream corridors and other areas in a natural or undisturbed state. A CRS allows for slightly higher net density than that typically allowed for the underlying zoning classification of the property, and smaller lots sizes in order to preserve environmentally-sensitive areas in dedicated, perpetual green space.

“Density bonus” is the amount of additional density applicable to a type of development in the CRS overlay according to the quality construction standards established herein.

“Green space” means an area of land within the subdivision boundary which shall remain in a permanent undeveloped condition except for amenity areas. The ownership, uses, limitations of use and maintenance of such land shall be determined through a written management plan to be approved by the City of Locust Grove at or before approval of the final plat for property approved for this overlay district. The green space shall include net usable acreage and should include non-usable acreage within the gross acreage of the subdivision.

“Holder” means a governmental body empowered to hold an interest in real property under the laws of the State of Georgia or the United States; or a charitable corporation, charitable association, or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic, or green space values of real property, assuring the availability of real property for agricultural, forestry, recreational, or green space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

“Master Development Plan” is a site plan that depicts the proposed subdivision layout including lot dimensions, rights-of-way (street) layout, parking facilities, sidewalks, multiuse paths, stormwater detention/retention facilities, green space area including any physiographic characteristics, buffers, and amenities. The Master Development Plan shall also provide the amount of land in 100-year floodplain, rights-of-way, stormwater detention/retention ponds, non residential lands, public lands, net usable area and amount of green space. Furthermore, the Master Development Plan shall state the proposed density; quality construction standards to be met and the corresponding density bonuses to be applied, if any; percentage of impervious surfaces; and any other information required by the City.

“Net usable area (nua)” mean the area of land on which dwellings may be constructed but exclusive of streets; rights-of-way; 100-year floodplain or flood hazard areas; stormwater detention/retention ponds; land used solely for commercial, office, institutional, or industrial uses, and public lands. Easements for stormwater, sanitary sewer, or water services shall not be excluded from nua.

“Pocket parks” are parks for passive recreational uses consisting (typically) of one-quarter (1/4) of an acre to not more than one acre of nua acreage the purpose of which is to provide green space for recreational use within walking distance of most residences, especially those located farthest from amenity areas or access to green space. This allows for a slightly larger pocket park area in terms of more formal elements for consideration during the zoning or preliminary plat process.

“Residential garage” shall mean an enclosed structure attached to or part of the principal dwelling for housing at least two (2) vehicles. All single-family CRSO home garages shall have the following minimum dimensions: vehicular entrance height, seven feet (7’); vehicular entrance width, sixteen feet (16’); garage interior height, eight feet four inches (8’4”); and overall garage width and depth of no less than twenty feet by twenty feet (20’ x 20’), respectively. The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4”) in thickness with appropriate fill and base. Residential garages shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the City and constructing an attached residential garage to the main residential structure. The residential garage shall be kept clear to that a minimum of one (1) vehicle may be parked in the garage at all times. Garages may be placed in the following arrangements on lots as required herein:

1. For lots with alleyway access, garages shall either be placed at the rear of the structure or have the garage door at the rear of the main structure.
2. For lots without alleyway access, garages may be located with front-entry facing residential streets; side-entry, with garage entry located at the side of a residential structure; or plaza entry, with garage structure in the front of the main residential structure having its garage entry placed to the side.

“Standard subdivision” means the form of subdivision design where all land areas within the development are typically divided into building lots and rights-of-way with little or not green space is set aside.

“Third party right of enforcement” means the right provided in a conservation easement to enforce any of its terms granted to a governmental body, charitable corporation, charitable association, or charitable trust, which, although eligible to the a holder, is not a holder.

- (c) Permitted locations for the CRS Overlay. The CRS Overlay district shall be applied any single-family zoning district (RA, R-1, R-2, R-3) as approved through rezoning by the City Council. All properties must have access to an arterial or collector street; however, a CRS may gain access to a local street where approved by City Council according to the Master Development Plan and any required traffic impact analysis on such streets. All CRS subdivisions must have access to public water and sewer.
- (d) Dimensional Requirements for Conservation Residential Subdivisions:
- (1) The minimum property size shall be twenty-five (25) acres, unless approved by council through a zoning map amendment. Although no maximum acreage amount is established, the City Council reserves the right to restrict the number of acres that may be dedicated for CRS use.
 - (2) The average, maximum and minimum lot size shall be as follows, except as provided herein:

Underlying Zoning District	Minimum Lot Size*	Average Lot Size	Maximum Lot Size
RA	22,000 square feet	25,000 square feet	2.0 acres
R-1	12,000 square feet	15,000 square feet	1.5 acres
R-2	7,000 square feet	7,500 square feet	30,000 sq. ft.
R-3	6,000 square feet	6,500 square feet	20,000 sq. ft.

**Minimum lot sizes shall be limited to cases of radial lots and no case shall be more than 10% of the total number of lots within the CRSO subdivision.*

- (3) The average, maximum and minimum lot widths (and minimum width at building line) shall be as follows, except as provided herein:

Underlying Zoning District	Minimum Lot Size*	Average Lot Width	Maximum Lot Width
RA	110 feet	125 feet	250 feet
R-1	90 feet	100 feet	150 feet
R-2	70 feet	75 feet	125 feet
R-3	60 feet	65 feet	100 feet

**Minimum lot widths shall be limited to cases of radial lots and no case shall be more than 10% of the total number of lots within the CRSO subdivision.*

- (4) Traditional Neighborhood Development (TND). For developments in the R-2 and R-3 zoning district, an applicant may elect, upon approval of the Council and Mayor, to develop up to twenty-five percent (25%) of the lots within a CSRO as a Traditional Neighborhood Element (TND)

consisting of rear alleyways, historic (pre-1940) architectural building styles, and formalized open space within that area defined for TND. Lot widths and Lot area may be reduced to no less than fifteen percent (15%) of the average in sections (2) and (3) above. Approval of such reductions shall be approved by the Council and Mayor during the rezoning request or preliminary plat approval and must include review and approval of submitted architectural standards to be made part of the permanent record of the development.

- (5) The minimum front yard setback shall be as follows in accordance with street classification and off-street parking design:

Street Classification	Alleyway Lots	Non-Alleyway Lots
Principal Arterial	80 feet	100 feet
Major Arterial	70 feet	75 feet
Minor Arterial	60 feet	70 feet
Major Collector	50 feet	60 feet
Minor Collector	45 feet	50 feet
Local Street	20 feet	30 feet

The front setbacks shall apply depending on lot frontage, regardless of orientation of actual residential home to the street network. All developments shall incorporate reverse-frontage lots except where approved by Council and Mayor during preliminary plat approval.

- (6) The minimum side yard shall be as follows:

Underlying Zoning District	Minimum Side Yard	Minimum Separation
RA	15 feet	30 feet
R-1	10 feet	20 feet
R-2	7.5 feet	15 feet
R-3	5 feet	15 feet

- (7) The minimum rear setback shall be twenty-five feet (25') for CRSO in the R-2 and R-3 zoning districts and forty feet (40') for CRSO in the RA and R-1 zoning district.
- (8) The maximum building height shall be that established in the underlying residential zoning district.

(e) **Ownership of Development Site.** The tract of land to be subdivided may be held in single and separate ownership or in multiple ownerships. If held in multiple ownerships, however, the site shall be developed according to a single plan with common authority and common responsibility.

(f) **Housing Density Determination.** The maximum number of lots in the Conservation Subdivision shall be determined by a Yield Plan plus any applicable Quality Construction Bonus Density provided herein. A Yield Plan shall depict the maximum number of lots is based on a conventional subdivision design plan, prepared by a registered landscape architect, engineer, or land surveyor of the applicant, in which the tract of land is subdivided in a manner intended to

yield the highest number of lots possible in the underlying zoning district. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

- (g) **Development Standards.** Applications for the CRS overlay shall be processed in the same manner as an application for a zoning map amendment. CRS plats shall be processed in the same manner as a standard subdivision plat, with exception of a formal review and approval of a preliminary subdivision plat by City Council. All approved preliminary and final plats shall have an additional marking of "CRS", symbolizing the use of conservation residential subdivision development standards. The minimum development standards that must be met by a CRS are as follows:

- (1) A minimum of forty percent (40%) of the total acreage shall be permanently protected as described elsewhere in this section. Of this required green space total, at least twenty-five percent (25%) of that amount shall consist of net usable acreage.
- (2) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted).
- (3) Unless otherwise provided for below, a seventy-five foot (75) undisturbed buffer shall be maintained along all exterior streets and a twenty-five foot (25) undisturbed buffer along the perimeter of the property shall be maintained.
 - a. Existing vegetation shall be of sufficient depth and foliage to provide a visual opaque buffer at a minimum height of six feet (6') from prevailing grade throughout the length of the required undisturbed buffer area. Where such vegetation does not exist, or, where there exists a greater need for a structural buffer (landscaped earthen berm or masonry wall), either additional plantings, or a structural buffer shall be installed under the approval of the Council and Mayor as part of preliminary plat approval. Use of a structural buffer may allow the reduction of the required buffer width to no less than forty feet (40') at the discretion of the Council and Mayor.
 - b. Buffer shall not be included in the lot area required for a CRS subdivision.
- (4) Along each side of a perennial stream a one hundred foot (100') undisturbed buffer is required. A minimum of a twenty-five foot (25) buffer shall be maintained around all wetlands, ponds and lakes (unless a greater buffer is required); but access easements of no wider than twenty feet (20') may be cleared. The number and location of such easements shall be determined by the Community Development Director.
- (5) All dedications, easements, or other specific measures required to be done to meet the regulations of this section shall be completed prior to the issuance of a building permit on any lot of the subdivision.
- (6) **Exterior Elevation Requirements.** The following are required for exterior building elevations for lots within the CSRO:

Percentage of Lots	Primary Street Frontage Elevation	Side Elevations	Rear Elevation
Thirty Percent	All brick	All brick	All brick

(30%)			
Twenty Percent (20%)	Brick, Stucco, Stone	Brick, Stucco, Stone, Fiber Cement Siding	Brick, Stucco, Stone, Fiber Cement Siding
Remainder (50%)	Brick, Stucco, Stone, Fiber Cement Siding	Brick, Stucco, Stone, Fiber Cement Siding	Brick, Stucco, Stone, Fiber Cement Siding

The term "All Brick" shall permit for minor trim elements in the gables and in small portions (less than 15% in surface area) of the front elevation for other masonry (stucco, stone) and fiber cement siding. Vinyl siding shall be permitted only for soffits for all structures.

- (7) Streets must meet the minimum standards as required by the Subdivision Ordinance, except where varied on preliminary plat approval of City Council.
- (8) Paved driveways are required.
- (9) Sidewalks are required except where in conflict with multiuse paths.
- (10) Decorative streetlights required.
- (11) Underground utilities required.
- (12) Minimum heated floor space shall be 1,700 square feet for a single-story dwelling and 2,200 square feet for a multistory dwelling. Where use of the TND option is proposed, minimum home size may be reduced by no more than 10% upon approval by the Council and Mayor.
- (13) Alleyways are required for all interior lots of a CRS where practical. For lots along the perimeter of the development, either alleyways or an alternative parking arrangement must be provided. Alternative parking arrangements may consist either of on-street parking a minimum of 10 feet (10') in width by twenty feet (20') in length with tree islands every 12 spaces; off-street parking lots developed to commercial standards with minimum size of nine feet (9') in width by eighteen feet (18) in length; or use of an additional ten feet (10') of front setback for additional storage of vehicles on individual lots. For lots seventy-five feet (75') in width or greater, plaza or side-entry garages are required. Where on-street parking is used, it shall be used in conjunction with alleyway lots to prevent conflicts with driveway cuts. All parking should be distributed throughout the development to provide equal access to the lots they are intended to serve. The ratio of alternative parking shall be one space for every three lots, unless otherwise specified by Council and Mayor. All parking arrangements shall be reviewed with submission for the CRS overlay and must be approved by City Council as part of approval of the preliminary plat.
- (14) Residential parking garages are required. No more than 40% of the front elevation may consist of a residential parking garage. All lots served by alleys must have garages in the rear yard of the lot. All front or plaza entry garages must use architectural garage doors.
- (15) Multiuse paths are required and should connect lots throughout the development to the majority of the open space and amenity areas. In addition, such multiuse paths shall interconnect with adjoining paths and along such areas designated by the Future Land Use Map, the Transportation System Map, or other equivalent map showing an overall trail system for the City of Locust Grove.
- (16) Impervious Cover Requirements. The Master Development Plan shall

demonstrate that the subdivision will comply with all impervious cover requirements set forth in the zoning, watershed, wetland, soil erosion, and stormwater ordinance, as applicable. Compliance with the impervious surface requirements shall be certified by a licensed surveyor, engineer, landscape architect, or other licensed professional authorized to render such services under state law.

- (17) The subdivision must be served by public water and sewer with adequate pressure and capacity.
- (18) Required Amenities.

a. Except as otherwise provided for herein, all developments under this Section shall provide on or more of the following amenities:

- A clubhouse of 1,300 minimum square feet
- A minimum sized adult pool of 20' x 40' (in-ground)
- A wading pool for children, in addition to the adult sized pool, consisting of a minimum of 200 square feet.
- Tennis Courts – one lighted and enclosed facility featuring a minimum of 2 playing courts.
- Walking Trails – at least 2,000 feet, 3 feet in width. Multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of width is solely for pedestrian use.
- A Baseball Field – (reg.) regulation size
- A Baseball Field – (LL) little league size
- A Softball Field – regulation size (adult)
- A Soccer Field – regulation size
- A Multiuse Field – football and soccer
- A Multiuse Field – football and baseball
- A Football Field – regulation size
- A Lake with access to trails
- A regulation-size basketball court with two backboards, hoops, and next structures
- A Pocket Park or Parks, not to comprise more than 50% of the amenities for developments larger than 50 lots.

The amenities required shall depend on the number of dwelling units included in each development, as follows:

Number of Lots	Amenities Required
0 – 25	None
26 – 50	1
51 – 100	2
101 – 150	3
151 – 200	4
Over 200	One amenity for each additional 50 lots or fraction thereof

- b. Amenities provided shall be conveniently located for the majority of

dwelling and may be located in the required green space. A homeowners' association shall be established and shall be responsible for ownership, liability, and maintenance of all amenities.

- c. City Council may accept in lieu of providing an amenity the monetary value of such amenity established by three written estimates from a reputable builder of such amenity items after review by the City Manager and/or Community Development Director. Any funds accepted in lieu shall be used for the sole purpose of providing public green space or amenities similar to those listed herein.

(h) Conservation Protection Implementation. The developer/subdivider/property owner shall submit a written management plan for the protection of all green space prior to the approval of the final plat. The management plan shall include:

- (1) Provisions for the use, restrictions of use, ownership, maintenance, and perpetual preservation of the green space areas;
- (2) Allocation of the responsibility and establishing guidelines for the maintenance and operation of the green space and any facilities located thereon. These guidelines must include provisions for ongoing maintenance and for long-term capital improvements if any;
- (3) Estimates of the costs and requirements needed for maintenance and operation of, and insurance for, the green space and an outline of the means by which such funding will be obtained or provided;
- (4) The green space required herein shall be permanently protected in perpetuity by a conservation easement conveyed to either the homeowners' association, a qualified land trust, or other entity approved by City Council prior to final plat approval. The conservation easement shall be created subject to the provisions of Article 1 of Chapter 10 of Title 44 of the Official Code of Georgia, Annotate, which is known as the "Georgia Uniform Conservation Easement Act." (Code 1981, § 44-10-1 et seq. Enacted by Ga. L. 1192, p. 227, § 1). All such conservation easement shall provide for either enforcement rights or third party enforcement rights, as the case may be, vested in the homeowners' association, City Council, and in any other party approved by the City Council, and shall provide that the conservation easement may not be terminated or otherwise modified without the consent of the City Council and all entities having either a property right or enforcement right therein.
- (5) The green space areas shall be owned and maintained in accordance with the following criteria provided that the record title to the property and the conservation easement shall be held by different entities:
 - a. Record title may be held by:
 - i. Equal share of undivided interest by each lot owner,
 - ii. The homeowners' association, or,
 - iii. Other entity approved by the City of Locust Grove.
 - b. Conservation easement may be held by:
 - i. The homeowners' association,
 - ii. The City of Locust Grove, or
 - iii. Other entity approved by the City of Locust Grove, qualified to be a holder under the Georgia Uniform Conservation Easement Act.
 - c. Maintenance:

- i. Homeowners' association, or
 - ii. Other entity approved by the City of Locust Grove
- (6) Homeowners' Association: In all cases, a homeowners' association shall be established. Membership shall be automatic and mandatory for all lot owners in the development and their successors and the homeowners' association shall have the power to file liens to collect dues and assessments. The homeowners' association shall be formed under the provisions of Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia, Annotated, which is known as the "Georgia Property Owners' Association Act." (Code 1981, § 44-3-22, et seq.. enacted by Ga. L. 1994, p. 1879, § 1) and shall contain adequate provisions to qualify it as a "holder" under the Georgia Uniform Conservation Easement Act, if it is to act as a holder of the conservation easement. The homeowners' associations shall be responsible for the maintenance of private alleyways and amenities.

(i) Standards for Determining Green Space

- (1) The minimum area of green space preserved shall be determined by multiplying the total acreage included in the CRS by 40% (0.4) with at least twenty-five percent (25%) of that minimum green space amount shall consisting of net usable acreage. The result shall constitute the minimum amount of area that must be preserved.
- (2) Physiographic characteristics. The types of land area included in the green space shall include the following:
 - a. Flood prone areas, floodplains, and floodway
 - b. Wetlands
 - c. Ponds, lakes, including perennial and intermittent streams, rivers, including their required buffer zones.
 - d. Waters of the state
 - e. Wellhead protection zones
 - f. Slopes 25% and steeper
 - g. Areas with shallow bedrock
 - h. Areas and soils which, when disturbed, are prone to excessive erosion
 - i. Prime views and vistas
 - j. Areas of historical or archaeological significance.
 - k. Cemeteries
 - l. Populations of endangered species, or habitat for such species, and
 - m. Other similar areas which are less suitable for development.
- (3) The green space shall be an integrated part of the subdivision rather than an isolated element, and fragmentation of the green space shall be minimized. At least seventy-five percent (75%) of the green space shall be contiguous. Individual green space parcels generally shall be larger than two (2) acres. Exceptions may be made for entrances to trails, pocket parks and other particular uses as deemed appropriate by City Council.
- (4) Green space shall be located, to the greatest extent practical, to provide for interconnected greenways or vegetated corridors within the city and between jurisdictions.
- (5) The green space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the green space.

- (6) Where practicable green space areas shall also be configured to provide a greater buffer area than the minimum buffer required hereunder between adjoining property outside the conservation residential subdivision and the dwelling units within the subdivision.
- (j) **Permitted Uses of Green Space**
- (1) Uses of green space may include the following:
- Conservation of natural, archaeological or historical resources;
 - Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
 - Multiuse paths, private alleyways where they include multiuse paths, or walking trails;
 - Passive recreation areas such as parks, community gardens, playing fields or recreation facilities primarily for the use of the subdivision residents and their guests (including required amenities and additional amenities);
 - Active recreation areas, provided that they are limited to no more than ten percent (10%) of the total open space requirement;
 - Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;
 - Easements for drainage, access, and underground utility lines; or
 - Other conservation-oriented uses if approved by the City Council.
- (2) Non-permissible uses:
- Golf Courses;
 - Roads and other impervious surfaces (except for the required amenities and additional amenities) unless to provide connection to adjoining properties or as approved by City Council;
 - Agricultural and forestry activities not conducted according to accepted Best management Practices; and,
 - Other uses inconsistent with the purposes of this Chapter.
- (k) **Quality Construction Density Bonuses.** Upon application for the CRS overlay or upon approval of the preliminary plat, the subdivider/developer may choose to enhance the construction quality of the development according to the standards listed below and receive the corresponding density bonus. The maximum total of all density bonuses used shall not exceed the following for the underlying zoning district applicable to the property:

Residential Zoning District	Underlying Maximum Net Density*	Maximum Allowable Net Density with Bonus
RA	0.8	1.25
R-1	1	1.5
R-2	2.5	3.0
R-3	3.0	3.6

*Dependent upon the final lot yield in the underlying zoning district. Actual yield plan

may be less.

No Quality Construction Density Bonuses shall be permitted in the Indian Creek or Tussahaw watershed protection district. Quality construction standards implemented by the subdivider/developer shall be noted as a requirement on the final plat. Allowable density bonuses include the following:

- (1) 0.1 bonus density unit per net usable acre for each additional ten percent (10%) of the dwellings constructed with all sides brick above the minimum exterior requirements hereunder.
 - (2) 0.05 bonus density unit per net usable acre for each additional ten percent (10%) of the dwellings constructed with front side brick above the minimum exterior requirements hereunder, but the total amount of bonus shall not exceed 0.25.
 - (3) 0.1 bonus density units per net usable acre if eighty percent (80%) or more of the dwellings in the subdivision are built with front porches as minimum of ten feet (10') in length by six feet (6') in width.
 - (4) 0.05 bonus density unit per net usable acre for an additional one hundred square feet increase in the minimum heated floor space for the development, but the total amount of bonus shall not exceed 0.25.
 - (5) 0.1 bonus density unit per net usable acre for installation of traffic calming devices appropriately located throughout the development as speed tables and/or landscaped roundabouts.
- (l) Developments developed or approved under Section 17.04.070 "Conservation Residential Subdivision Conditional Use". For developments approved under Section 17.04.070, the owner may elect the following options:

Existing Zoning And Stage of Development	Election Method	Conditions
Developed under 17.04.070 and construction is complete.	Can continue under existing zoning	Must meet all regulations in effect at time of zoning and preliminary plat approval (i.e., all conditions of 17.04.070 must be met)
Developed under 17.04.070 and construction is complete.	May elect CRSO through zoning map amendment	The existing density approved will apply. All items of this section are applicable, with the requirement that at least 40% of homes be all-brick construction, with remainder 35% masonry front and 25% any combination of brick, stucco, stone or fiber cement siding.
Approved through rezoning, with no	May elect CRSO through zoning map amendment	The existing density approved will apply. All

construction underway		items of this section are applicable, with the requirement that at least 35% of homes be all-brick construction, with remainder 35% masonry front and 30% any combination of brick, stucco, stone or fiber cement siding. Minimum lot width may be not less than sixty feet (60') in width along frontage/front setback line.

Severability

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Section III. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

Section IV.

- A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all

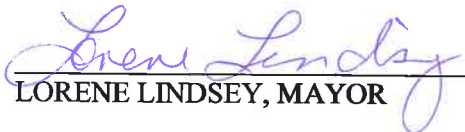
Adopted October 2, 2006

remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section V. **Repeal of Conflicting Provisions.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section VI. **Effective Date.** This ordinance shall become effective immediately upon/of its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 2nd day of October, 2006.



LORENE LINDSEY, MAYOR

ATTEST:

THERESA BREEDLOVE, City Clerk

(Seal)